REMARKS

Favorable reconsideration of this application is respectfully requested in view of the following remarks.

The specification has been amended to address the issue raised at the top of page two of the Official Action. No new matter has been introduced. The original specification describes that the predetermined speed used for determining whether the door speed V is smaller than the predetermined speed can be the same as the predetermined speed used to determine if the door speed V is equal to or greater than the predetermined speed, or can be smaller than such predetermined door speed. The reworded portion of the description describes this originally disclosed subject matter in a slightly different way. Withdrawal of the objection to the disclosure is respectfully requested.

Claims 1 and 3 have been amended to address the minor issues raised at the bottom of page two and the top of page three of the Official Action. Accordingly, withdrawal of the claim rejection based on the second paragraph of 35 U.S.C. § 112 is respectfully requested.

By way of this Amendment, new Claims 8-13 have been added. Thus, the claims currently pending in this application are Claims 1-13, with Claims 1 and 11 being the only independent claims.

The Official Action sets for an anticipatory rejection of original independent Claim 1 based on the disclosure set forth in U.S. Patent No. 6,037,727 to *Kawanobe et al.* That rejection is respectfully traversed for at least the following reasons.

The claims in this application are directed to a door control device. As recited in original Claim 1, the door control device comprises a door, a manual operation detecting means for detecting manual operation of the door, speed detecting means for detecting a door speed when the door is opened or closed, driving means for driving the door, a clutch disposed between the driving means and the door to allow or prohibit transmission of a driving force from the driving means to the door, and control means for controlling the clutch based on the operation state of the door detected by the manual operation detecting means and the door speed detected by the speed detecting means. As set forth in original Claim 1, the control means disengages the clutch when manual operation of the door is detected, and engages the clutch when the door speed is determined to be equal to or greater than a first value and then becomes equal to or smaller than a second value which is smaller than the first value.

In setting forth the rejection based on the disclosure in *Kawanobe et al.*, the Official Action notes that the wording in the last five lines of Claim 1 was interpreted as functional language and that *Kawanobe et al.* only need be capable of performing such functional language. To address this point, Claim 1 has been amended to recite that which was originally intended by Claim 1. Claim 1 thus now recites that the control means determines that the door speed is equal to or greater than a first value and then becomes equal to or smaller than a second value which is smaller than the first value. The claim then goes on to recite the original claim language defining that the control means engages the clutch when the control means determines that the door speed is equal to or greater than the first value and then becomes equal to or smaller than the second value.

Kawanobe et al. discloses a device for automatically controlling the closure of a vehicle sliding door. Fig. 14 and the associated written description in *Kawanobe et* *al.* describe the manual/auto exchange control associated with the vehicle door. *Kawanobe et al.* describes beginning at the bottom of column 10 that upon detection that the slide door 3 is manually moved, the apparatus converts to an automatic open/close control process. When the system determines that the door speed is faster than a manual recognition speed in step S60 of Fig. 14, the open/close motor 54 is driven with the electromagnetic clutch 56 in its OFF-condition so that the motor 54 rotates in an idling state. If it is determined that the manual door speed is slower than a predetermined rapid speed in step S65, the system determines whether the door speed is faster than the manual recognition speed. When it is determined that the door speed is faster than the manual recognition speed and such condition continues for a fixed period of time as determined in step S67, the clutch 56 is changed to its OFF-condition to convert to the automatic open/close control process (step S69 or S72).

Thus, *Kawanobe et al.* describes that the clutch is engaged when it is determined that a particular condition has continued for a fixed length of time. This condition is the condition in which the door speed is faster than the manual recognition speed.

In contrast, Claim 1 recites that the control means determines that the door speed is equal to or greater than a first value and then becomes equal to or smaller than a second value smaller than the first value, with the clutch being engaged when the control means determines that the door speed is equal to or greater than the first value and then becomes equal to or smaller than the second value. This is not disclosed in *Kawanobe et al.* and it is thus respectfully submitted that the claimed subject matter differs from the disclosure in *Kawanobe et al.* Accordingly, withdrawal of the anticipatory rejection of independent Claim 1 is respectfully requested.

New independent Claim 11 defines that the door control device comprises, in combination with the other claimed features, the control unit for controlling the clutch based on the operation state of the door detected by the manual operation detecting means and the door speed detected by the speed detecting means. The control unit determines that an operator operating the door intends to stop the manual operation of the door. Additionally, the control unit disengages the clutch when the manual operation is detected by the manual operation detecting means, and engages the clutch when the control unit determines that the operator intends to stop the manual operation of the door.

Kawanobe et al. does not disclose such a control unit together with the other claimed combination of features. Accordingly, Claims 11-13 are also allowable.

Early and favorable action with respect to this application is respectfully requested.

Should any questions arise in connection with this application or should the Examiner believe that a telephone conference with the undersigned would be helpful in resolving any remaining issues pertaining to this application the undersigned respectfully requests that he be contacted at the number indicated below.

Respectfully submitted,

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